

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

IN RE:  
JENERY GUION  
NANCY GUION

CASE NO: BKS-10-12421-BAM

CHAPTER 13

Hearing Date: May 06, 2010

Hearing Time: 1:30 pm

STIBOR SINGER GROUP  
Attorney for the Debtor

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF Plan #1  
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Kathleen A. Leavitt, hereby objects to confirmation of Plan and hereby represents the following:

The Debtor(s) filed for Chapter 13 relief on 02/16/2010. The 341(a) Meeting of Creditors held on March 30, 2010 at 8:00 am was:

- Concluded

The Trustee objects to confirmation of the Chapter 13 Plan for the following reason(s):

- The post-petition payments to secured creditors are delinquent
- Plan is not feasible [11USC § 1322] due to claim(s) filed by: Wells Fargo
- Other: affidavit from son for direct payments on auto.
- The Plan fails to provide for all of the Debtor's disposable income [11 USC § 1325 (b)(1)(B)] based on 22c
- Trustee objects to the deduction of expenses as set forth in LINE 45 charitable contributions & line 57 "college" need verification of both expenses. of Form 22C Chapter 13 Statement of Current Monthly Income and Calculations of Commitment Period and Disposable Income as it is not an allowable expense deduction; as a result the disposable income set forth in Form 22C may not be met. 11 USC §707(b)(2)(A)(ii) and 11 USC §1325(a) and (b).
- The Debtor(s) has failed to cooperate with the Trustee [11 USC § 521(a)(3)] as the following documents were not provided:
  - All tax returns for all taxable periods ending during the 4-year period ending on the date of the filing of the petition. Specifically, tax years 2006, 2007, 2008, 2009
  - Paystubs for the following periods: Mr & Mrs: August 2009 - January 2010. 11 USC §704(a)(4) and/or 11 USC §521(a)(1)(B)(iv)
  - Bank Statements for the following periods: all accounts 9/16/2009 - 2/16/2010.
  - Verification of verification of auto insurance.
  - Statement of Financial Affairs: #5 to list property address.
  - Amendment to Schedule B. Personal Property: list bank account & Toyota Camery..
  - Amendment to Schedule C. Property Claimed as Exempt: .
  - Amendment to Schedule I. Current Income of Individual Debtor(s): correct number in household. .
  - Amendment to Schedule J. Current Expenditures of Individual Debtor(s): delete payments to the IRS .

THEREFORE, the Trustee objects to confirmation for the foregoing reasons and recommends that this case be dismissed and that the Trustee be allowed administrative expenses in the amount of \$150.00.

Dated: 03/30/2010

/s/Kathleen A. Leavitt

Kathleen A. Leavitt

Chapter 13 Trustee